

Senate Environment, Conservation and Tourism Committee Amdt. #1

Amendment No. 1 to HB1592

Givens
Signature of Sponsor

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Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1586*

House Bill No. 1592

by adding the following as a new section to the printed bill:

Section ____ Tennessee Code annotated, title 62, Chapter 21, Part 1, is amended by adding the following as an appropriately designated new section:

Section 62-21-1____. Assessment of investigation and hearing costs – Rules and regulations.

(a) Notwithstanding any contrary provision of law, the department or any division, board, commission or agency attached thereto may assess the actual and reasonable costs of the investigation, prosecution and hearing of any disciplinary action held in accordance with the contested case provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 3, in which sanctions of any kind are imposed on any person or entity required to be licensed, permitted, registered or otherwise authorized or regulated by the department or its respective divisions, board, commissions or agency. These costs may include, but are not limited to, those incurred and assessed for the time of the prosecuting attorneys, investigators, expert witnesses, administrative judges, court reports and any other persons involved in the investigation, prosecution and hearing of the action.

(b)

(1) All costs assessed pursuant to this section shall become final thirty (30) days after the date a final order of assessment is served.

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(2) If the individual or entity disciplined fails to pay an assessment when it becomes final, the department may apply to the appropriate court for a judgment and seek execution of such judgment.

(3) Jurisdiction for recovery of such costs shall be in the chancery court of Davidson County.